

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	Case No. 3:21-MC-00074-FAB
)	
KENDELL LANG, et al.,)	
)	
Defendants,)	
)	
FUSION PROPERTIES MANAGEMENT)	
GROUP, INC., d/b/a FUSION FARMS,)	
)	
Garnishee.)	

LIST OF EXEMPTIONS

Pursuant to 28 U.S.C. § 3014(a), an individual debtor may elect to exempt property that is either

(1) property that is specified in section 522(d) of title 11, as amended from time to time;

or

(2) (A) any property that is exempt under Federal law, other than paragraph (1), **or** State or local law that is applicable on the date of the filing of the application for a remedy under this chapter at the place in which the debtor's domicile has been located for the 180 days immediately preceding the date of the filing of such application, or for a longer portion of such 180-day period than in any other place; **and**

(B) any interest in property in which the debtor had, immediately before the filing of such application, an interest as a tenant by the entirety or joint tenant, or an interest in a community estate, to the extent that such interest is exempt from process under applicable nonbankruptcy law.

Below is a summary of the major exemptions which apply in most situations in the Territory of Puerto Rico.

Please note that the descriptions below are summaries of complicated statutes. Also, the list provided includes important exemption claims, but may not include exemptions applicable in unusual situations or to your case. You should refer to applicable law for complete descriptions of the provisions set out below and for other laws that may apply in your situation.

The law of the State where you have been domiciled the greater part of the last 180 days governs your right to exemptions.

(1) Bankruptcy Code Exemptions as listed in 11 U.S.C. § 522(d).

1. The debtor's aggregate interest, not to exceed \$25,150 in value, in real property or personal property that the debtor or a dependent of the debtor uses as a residence, in a cooperative that owns property that the debtor or a dependent of the debtor uses as a residence, or in a burial plot for the debtor or a dependent of the debtor.
2. The debtor's interest, not to exceed \$4,000 in value, in one motor vehicle.
3. The debtor's interest, not to exceed \$625 in value in any particular item or \$13,400 in aggregate value, in household furnishings, household goods, wearing apparel, appliances, books, animals, crops, or musical instruments, that are held primarily for the personal, family, or household use of the debtor or a dependent of the debtor.
4. The debtor's aggregate interest, not to exceed \$1,700 in value, in jewelry held primarily for the personal, family, or household use of the debtor or a dependent of the debtor.
5. The debtor's aggregate interest in any property, not to exceed in value \$1,325 plus up to \$12,575 of any unused amount of the exemption provided under paragraph (1) of this subsection.
6. The debtor's aggregate interest, not to exceed \$2,525 in value, in any implements, professional books, or tools, of the trade of the debtor or the trade of a dependent of the debtor.
7. Any unmaturred life insurance contract owned by the debtor, other than a credit life insurance contract.
8. The debtor's aggregate interest, not to exceed in value \$13,400 less any amount of property of the estate transferred in the manner specified in section 542(d) of this title, in any accrued dividend or interest under, or loan value of, any unmaturred life insurance contract owned by the debtor under which the insured is the debtor or an individual of whom the debtor is a dependent.
9. Professionally prescribed health aids for the debtor or a dependent of the debtor.
10. The debtor's right to receive ---
 - (A) a social security benefit, unemployment compensation, or a local public assistance benefit;
 - (B) a veterans' benefit;
 - (C) a disability, illness, or unemployment benefit;
 - (D) alimony, support, or separate maintenance, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor;

(E) a payment under a stock bonus, pension, profit-sharing, annuity, or similar plan or contract on account of illness, disability, death, age, or length of service to the extent reasonably necessary for the support of the debtor and any dependent of the debtor, unless----

- (i) such plan or contract was established by or under the auspices of an insider that employed the debtor at the time the debtor's rights under such plan or contract arose;
- (ii) such payment is on account of age or length of service; and
- (iii) such plan or contract does not qualify under section 401(a), 403(a), 403(b), or 408 of the Internal Revenue Code of 1986.

11. The debtor's right to receive, or property that is traceable to ---

- (A) an award under a crime victim's reparation law;
- (B) a payment on account of the wrongful death of an individual of whom the debtor was a dependent, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor;
- (C) a payment under a life insurance contract that insured the life of an individual of whom the debtor was a dependent on the date of such individual's death, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor;
- (D) a payment, not to exceed \$25,150, on account of personal bodily injury, not including pain and suffering or compensation for actual pecuniary loss, of the debtor or an individual of whom the debtor is a dependent; or
- (E) a payment in compensation of loss of future earnings of the debtor or an individual of whom the debtor is or was a dependent, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor.

12. Retirement funds to the extent that those funds are in a fund or account that is exempt from taxation under section 401, 403, 408, 408A, 414, 457, or 501(a) of the Internal Revenue Code of 1986.

OR

(2) State Exemptions (plus certain co-owned interests in property)

Unless otherwise noted, all exemptions are provided by Section 1130 of title 32 of Laws of Puerto Rico Annotated, unless otherwise noted:

1. Title 31 L.P.R.A § 1858 *et seq.* – Homestead is generally exempted from execution (but not in the case of state and federal tax collection).
2. Chairs, tables, desks and books to the value of \$100.
3. Necessary household furniture to the value of \$200, plus certain wearing apparel, certain artwork, provisions for one month, and certain livestock.

4. Farm equipment up to \$200 in value, plus certain working livestock, seeds, water rights of a farmer.
5. Professional tools.
6. Motor vehicle if a working tool.
7. Cabin, equipment, tools, and livestock necessary for miners.
8. Livestock used in peddling, etc.
9. Three-fourths of earnings for services rendered within the 30-day period following levy, provided such earnings are necessary for use of family to reside within the Commonwealth.
10. Shares in a homestead association for certain persons up to a value of \$500.
11. Certain benefits under life insurance policies.
12. Fire engines, etc., of fire departments.
13. One gun, and all uniforms, etc., required by law.
14. Certain public property.
15. Property of labor unions in certain situations.
16. Certain home appliances.

OR

(3) Federal Law Exemptions (plus certain co-owned interests in property)

1. Certain wages and compensation:
Longshoremen's and harborworkers' compensation, 33 U.S.C. § 916.
Injury or death resulting from war-risk hazard, 42 U.S.C. § 1717.
2. Social Security benefits, 42 U.S.C. § 407.
3. Certain retirement funds and accounts:
Civil Service, 5 U.S.C. § 8346(a).

Foreign Service, 22 U.S.C. § 4060(c).
Railroad Retirement, 45 U.S.C. § 231m.
Judges' widows' annuities, 28 U.S.C. § 376(n).

4. Certain veteran and armed forces benefits:

Laws administered by the Veterans Administration, 38 U.S.C. § § 1970 and 5301.
Armed Forces Survivor Benefit Plan, 10 U.S.C. § 1450(i).
Savings deposited with armed forces, 10 U.S.C. § 1035(d).
Medal of Honor Roll Special Pension, 38 U.S.C. § 1562(c).

5. Miscellaneous:

Property of a foreign state, 28 U.S.C. § § 1609, 1611.
Rail Fund, 45 U.S.C. § 822(e).